

S.D.N.Y.-N.Y.C.  
10-cr-553  
Stein, J.

# MANDATE

United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 15<sup>th</sup> day of May, two thousand thirteen.

Present:

Chester J. Straub,  
Reena Raggi,  
Christopher F. Droney,  
*Circuit Judges.*

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: June 21, 2013

United States of America,

*Appellee,*

v.

13-307

Mondher Bejaoui,

*Defendant-Appellant.*

Appellant, *pro se*, moves for bail pending trial in his appeal from the district court's order denying his motion to modify the terms of his pretrial bail. The Government moves to dismiss the appeal as moot. Upon due consideration, it is hereby ORDERED that Appellant's motion is DENIED, the Government's motion is GRANTED, and the appeal DISMISSED as moot. *See Murphy v. Hunt*, 455 U.S. 478, 481-82 (1982) (holding that appellant's claim in regard to pretrial bail was moot once he was convicted, because not "even a favorable decision on it would have entitled the [appellant] to bail").

FOR THE COURT:  
Catherine O'Hagan Wolfe, Clerk

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Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

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MANDATE ISSUED ON 06/21/2013